

RESOLUTION NO. 4356

RESOLUTION AUTHORIZING MAYOR TO EXECUTE
THE "MEMORANDUM OF UNDERSTANDING FOR
THE PREPARATION AND ADOPTION OF AN AIR
QUALITY MAINTENANCE PLAN".

WHEREAS, in compliance with Federal regulations, the California Air Pollution Board designated nine (9) air quality maintenance areas within the State of California, which included the County of San Joaquin as a portion of one such area, and

WHEREAS, the San Joaquin County Council of Governments in February 1976 adopted a resolution accepting designation for San Joaquin County as an Air Quality Maintenance Area; now therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LODI,
AS FOLLOWS:

That the Mayor is hereby authorized and directed to execute on behalf of the City of Lodi that certain document entitled "Memorandum of Understanding for the Preparation and Adoption of an Air Quality Maintenance Plan", said Memorandum of Understanding being entered into between the County of San Joaquin, a political subdivision of the State of California; the City of Stockton, a municipal corporation; the City of Lodi, a municipal corporation; the City of Tracy, a municipal corporation; the City of Manteca, a municipal corporation; the City of Escalon, a municipal corporation; the City of Ripon, a municipal corporation; the San Joaquin County Air Pollution Control District; and the San Joaquin County Council of Governments.

A copy of said Memorandum of Understanding, in substantially the form to be executed, is attached hereto, marked Exhibit "A", and by reference made a part hereof.

Dated: May 18, 1977

I hereby certify that Resolution No. 4356 was passed and adopted at a regular meeting of the City Council of the City of Lodi held May 18, 1977 by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Katzakian,
Pinkerton and Katnich

Noes: Councilmen - None

Absent: Councilmen - None


ALICE M. REIMCHE
City Clerk

MEMORANDUM OF UNDERSTANDING
FOR THE PREPARATION AND ADOPTION
OF AN AIR QUALITY MAINTENANCE PLAN

This Memorandum of Understanding is entered into between the County of San Joaquin, a political subdivision of the State of California; the City of Stockton, a municipal corporation; the City of Lodi, a municipal corporation; the City of Tracy, a municipal corporation; the City of Manteca, a municipal corporation; the City of Escalon, a municipal corporation; the City of Ripon, a municipal corporation; the San Joaquin County Air Pollution Control District; and the San Joaquin County Council of Governments.

CHAPTER I. AUTHORIZATION

1.1 Air Quality Maintenance Area Designation

On June 13, 1974, in compliance with Federal regulations, the California Air Resources Board (ARB) made preliminary designations of nine Air Quality Maintenance Areas (AQMAs) within the state. One designation included San Joaquin and Stanislaus Counties. The ARB's preliminary designation of problem pollutant in this area was oxidant.

1.2 San Joaquin Phase I Policy Task Force

The responsibility for the entire Air Quality Maintenance Planning process rests with the Air Resources Board, however, this body concluded that air quality maintenance planning must be carried out as a joint state and local effort. In June of 1975, the Air Resources Board held meetings in every AQMA in the state. At these meetings, it was decided that a local Policy Task Force be created in each AQMA. In San Joaquin/Stanislaus AQMA, Phase I got underway in September, 1975. In January, the Policy Task Force decided to split into single-county task forces.

1.3 Designation of San Joaquin County as an Air Quality Maintenance Area

On February 24, 1976, the San Joaquin County Council of Governments adopted a resolution accepting designation for San Joaquin County as an Air Quality Maintenance Area for Oxidants.

1.4 Designation of the San Joaquin County Board of Supervisors as the Phase II Policy Body

On February 11, 1977, the San Joaquin County Board of Supervisors received formal designation as the lead agency for Air Quality Maintenance Planning in the San Joaquin County portion of the San Joaquin/Stanislaus AQMA. This designation provided the San Joaquin Board of Supervisors with the lead role in coordinating the efforts of various governments in the San Joaquin County portion of the San Joaquin/Stanislaus AQMA for preparation of the Air Quality Maintenance Plan, evaluating the air quality problem and potential solutions, developing a governmental process to ensure adoption and implementation of the AQMP, and coordinating efforts with those of the Stanislaus County Phase II effort.

CHAPTER 2. PHASE II WORK PROGRAM

2.1 Scope of Effort

The Air Quality Maintenance Plan for San Joaquin County will be developed in accordance with the Phase II AQMP Work Program. The Work Program provides the specific responsibilities of participant agencies and the time frame for preparation of draft portions of the plan for the duration of the plan preparation effort.

2.2 Work Program Revision

Any revisions in the Work Program must be approved by the San Joaquin County Board of Supervisors and the Air Resources Board. Any revision in the Work Program which affects the COG Overall Work Program must be approved by the County Council of Governments Board.

CHAPTER 3. AQMP POLICY BODY

3.1 AQMP Policy Body

The AQMP Policy Body shall be the San Joaquin County Board of Supervisors.

3.2 Responsibilities

The AQMP Policy Body, having been designated as the Phase II lead agency, shall adopt an Air Quality Maintenance Plan for submission to the Air Resources Board.

The Policy Body shall:

- (a) Ensure the involvement of San Joaquin County Council of Governments and cities in San Joaquin County throughout the planning process.
- (b) Ensure public involvement throughout the planning process.
- (c) Draft financial participation and related agreements with the California Air Resources Board and Stanislaus County.
- (d) Provide overall direction to the San Joaquin County Planning staff and to the Technical Advisory Committee.
- (e) Publicize findings and issue periodic progress reports.
- (f) Draft related recommendations to be made to legislative bodies or agencies.

3.3 AQMP Policy Body Limitations

The AQMP Policy Body has the authority to adopt an Air Quality Maintenance Plan including strategies and findings for the unincorporated portions of San Joaquin County. However, the AQMP Policy Body recognizes that aspects of the plan including strategies and findings that affect other jurisdictions must be adopted by those jurisdictions to be in force. (See Chapter 6)

CHAPTER 4. AQMP ADVISORY COMMITTEE

4.1 Purpose

The purpose of the Advisory Committee is to provide for continuous involvement of local jurisdictions and citizens in the Air Quality Maintenance Planning process.

4.2 Formation

The composition of the Advisory Committee shall consist of 24 members selected in the following manner:

Board of Supervisors	- 1 member acting as Chairman
City Council of Stockton	- 2 members
City Council of Lodi	- 1 member
City Council of Tracy	- 1 member
City Council of Manteca	- 1 member
City Council of Escalon	- 1 member
City Council of Ripon	- 1 member
County Council of Governments	- 1 member

The remainder of the members will be selected on the basis of 3 from each Supervisorial District and representing various public sectors in the following manner:

Business & Transportation	- 5 members
Agriculture	- 5 members
Public at Large	- 5 members

4.3 Responsibilities

The Advisory Committee will consider strategies and plans presented by the Technical Committee at scheduled meetings. After review, the Advisory Committee will make recommendations to the Board of Supervisors. The Committee may also suggest areas of concern which may need to be addressed by the Technical Committee.

4.4 Meetings

Meetings of the Advisory Committee shall be called at the discretion of the Committee Chairman.

CHAPTER 5. AQMP TECHNICAL COMMITTEE

5.1 Formation of Technical Committee

The Planning Director of San Joaquin County shall select the membership of the Air Quality Maintenance Planning Technical Committee. This Committee shall include representation from the following agencies:

San Joaquin County Planning
San Joaquin County Council of Governments
City of Stockton
Air Resources Board
Air Pollution Control District
Caltrans

Representation from other agencies may be added to this Committee to ensure a wide range of considerations in the formation of the Air Quality Maintenance Plan.

5.2 Responsibilities

The AQMP Technical Committee shall:

- (a) Coordinate and develop an Air Quality Maintenance Plan for San Joaquin County.
- (b) Provide assistance, advice, and recommendations to the AQMP Advisory Committee and the AQMP Policy Body in the adoption of the Air Quality Maintenance Plan.

CHAPTER 6. OTHER JURISDICTIONS

6.1 Stockton City Council and San Joaquin County Council of Governments Executive Board Participation in Phase II AQMP

The Stockton City Council and the County Council of Governments Executive Board will serve as major implementing or planning agencies for AQMP land use and transportation strategies within their respective jurisdictions. Work products prepared for the AQMP will, therefore, be presented to the Stockton City Council and the Council of Governments Board for review and/or action at intervals similar to Policy Body presentations.

6.2 City Council Presentations

Presentations will be made before City Councils within San Joaquin County, other than the City of Stockton, for strategies which affect those jurisdictions.

6.3 Advisory Committee

The findings of the Advisory Committee shall be provided to any jurisdictions party to this agreement.

6.4 Plan Adoption

While it is understood that each jurisdiction must adopt the plan in order to have it in force within the jurisdiction, all revisions or recommendations to the plan strategies or findings must be submitted before the Advisory Committee for recommendation to any jurisdictions.

This Memorandum of Understanding may be executed in any number of counter parts. The failure of any party hereto to execute this Memorandum shall not affect its binding force as to those parties who execute a counter part hereof.

In witness whereof the parties hereto have executed this Memorandum of Understanding the date affixed next to the parties' respective signatures.

Dated: _____

SAN JOAQUIN COUNTY AND THE
SAN JOAQUIN COUNTY AIR
POLLUTION CONTROL BOARD

ATTEST: RALPH W. EPPERSON
County Clerk and Ex-officio
Clerk of the Board of Super-
visors of the County of San
Joaquin, State of California

By _____
RICHARD S. YOSHIKAWA, Chairman
Board of Supervisors

By _____ (SEAL)
Deputy Clerk

Dated: April 29, 1977

ATTEST:

~~CITY~~ CLERK

CITY OF STOCKTON, a Municipal
Corporation of the State of
California

By John J. [Signature], Mayor

Dated: May 18, 1977

ATTEST:

Alice M. Reimche, City Clerk

CITY OF LODI, a Municipal
Corporation of the State of
California

By Walter J. Katnich
Walter J. Katnich, Mayor

Dated: _____

CITY OF TRACY, a Municipal
Corporation of the State of
California

By _____, Mayor

Dated: _____

CITY OF MANTECA, a Municipal
Corporation of the State of
California

By _____, Mayor

Dated: _____

CITY OF ESCALON, a Municipal
Corporation of the State of
California

By _____ Mayor

Dated: _____

CITY OF RIPON, a Municipal
Corporation of the State of
California

By _____, Mayor

Dated: _____

SAN JOAQUIN COUNTY COUNCIL OF
GOVERNMENTS

By _____,
Chairman